

Rules and Articles

1862
For the better

GOVERNMENT

OF OUR

Horse and Foot-Guards,

And all other Our

LAND-FORCES

In Our Kingdoms of

R. St. John & Co. - London
Army
Great-Britain and Ireland,

AND

Dominions beyond the Seas.

Published by His Majesties Command.

L O N D O N,

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Excellent Majesty, And by the Assigns of Thomas
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THE

GOVERNMENT

OF

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Х В С М Т

11/10/1918

U.S. DEPT. OF AGRICULTURE
BUREAU OF PLANT INDUSTRY
WASHINGTON, D. C.

the Commanding Officer
of the 1st Battalion

for money and
to be given
to the
of them

[Faint, illegible text from bleed-through]

2
thing is time of day
when not to sell and
when to be protected
from the market

1000

Rules and Articles
 For the better Govern-
 ment of Our Horse and Foot-
 Guards, and all other Our
 Land-Forces in Our King-
 doms of *Great-Britain* and *Ire-*
land, and Dominions beyond
 the Seas.

GEORGE R.

ARTICLE I.



All Officers and Soldiers (not having mon to be just Impediment) shall Diligently frequent Divine Service and Sermon, in such Places as shall be appointed for the Regiment, Troop, or Company to which they Divine Service and Sermon to be frequented.

The Penalty they belong ; And such as either wil-
of absenting fully or negligently absent them-
from Divine selves from Divine Service or Ser-
Service, or Ir- mon, or else, being present, do behave
reverent Be- themselves indecently or irreverently
haviour du- during the same ; If they be Officers,
ring the they shall be severely reprehended at
same.

1. If Officers.
2. If Soldiers.

How the For-
feiture is to
be applied.

a Court-Martial ; But if Private
Soldiers, they shall for every such
First Offence forfeit each Man Twelve
Pence, to be deducted out of their next
Pay ; And for the Second Offence
shall forfeit Twelve Pence, and be
laid in Irons for Twelve Hours ; And
for every like Offence afterwards, shall
suffer and pay in like manner ; And
the Money so forfeited shall be appli-
ed to the Relief of the Sick Soldiers
of such Troop or Company to which
the Offender does belong.

ART. II.

No Commo-
dity to be put
to Sale in
time of Di-
vine Service.

If any Sutler in any of Our Forts,
Garisons, Camps, Baracks, or
Guards, shall during Divine Service
or Sermon, presume to sell any Beer,
Brandy, Wine, or other Liquors, or
any kind of Victuals, or other Per-
chandize, he shall be deliver'd over to
the Civil Magistrate to be punished
according to Law.

ART.

A R T. III.

Whosoever shall use any unlawful Oath or Execration (whether Officer or Soldier) shall incur the Penalties and Cursing express'd in the first Article. The Penalty

A R T. IV.

If any Officer or Soldier shall presume to Blaspheme the Holy and Undivided Trinity, or the Persons of God the Father, God the Son, or God the Holy Ghost; or shall presume to speak against any known Article of the Christian Faith; he shall be delivered over by the Commanding Officer to the Civil Magistrate, to be punished according to Law. Blasphemers
to be deliver-
ed over to the
Civil Magi-
strate.

A R T. V.

If any Officer or Soldier shall Abuse or Prophane any Place Dedicated to the Worship of God, or shall offer Violence to any Chaplain of the Army, or any other Minister of Gods Word; he shall be liable to such Penalty or Corporal Punishment as shall be inflicted on him by a Court-Martial. The Penalty
of Prophaning
Churches, or
offering vio-
lence to Chap-
lains or Mini-
sters.

A R T.

A R T. VI.

The Penalty of speaking Traiterous or Disrespectful Words against the Person of His Majesty, His Royal Highness the Prince of Wales, or any King, or any of the Royal Family; or shall behave of the Royal Family. himself with Contempt or Disrespect towards the General or other Commander in Chief of the Forces, or speak Words tending to his Hurt or Dishonour; he shall be punished according to the nature of his Offence by the Judgment of a Regimental or General Court-Martial.

A R T. VII.

The Penalty of Mutiny. If any Officer or Soldier shall excite, cause, or join in any Mutiny or Sedition, in the Company, Troop, or Regiment to which he belongs, or in any other Company, Troop, or Regiment, in His Majesties Service, or on any Party or Post where the Duty is done by Detachment from several Regiments, or otherwise, in the Army; he shall suffer Death, or such other Punishment as a General Court-Martial shall inflict.

And

And if any Officer, Non-Commis- Or conceal-
 sion-Officer, or Soldier, shall hear any ing Mutiny,
 Words tending to Mutiny or Sediti-
 on, or being any way privy thereto,
 do not immediately use his utmost
 Endeavours to Suppress the same, as
 also to Discover it to his Superiors;
 If an Officer he shall be Cashier'd,
 and if a Non-Commission Officer or
 Soldier, he shall be severely punished
 at the Discretion of a Court-Partial.

A R T. VIII.

If any Officer or Soldier shall re- The Penalty
 fuse to Obey the Lawful Orders of of refusing to
 his Superior Officer, he shall be Bu- obey Orders.
 nished with Death, or otherwise, as a
 General Court-Partial shall think fit.

A R T. IX.

If any Officer or Soldier shall pre- The Penalty
 sume to Resist any Officer in the Ex- of resisting an
 ecution of his Office, or shall Strike, Officer in the
 Draw, or offer to Draw, or shall Lift execution of
 up any Weapon against his Superior his Office,
 Officer, on any pretence whatsoever;
 If an Officer, he shall be Cashiered,
 and if a Non-Commission Officer or
 Soldier, he shall receive such Corporal

ral punishment as a General Court-Partial shall inflict.

A R T. X.

The Penalty
of Desertion.

All Officers and Soldiers who have Received Pay, or have been duly Listed in Our Service, and shall Desert the same, either in the Field, upon a March, in Quarters, or in Garrison, and be Convicted thereof before a General Court-Partial; shall Suffer Death, or such other Punishment as by the said Court shall be inflicted.

A R T. XI.

Officer or Soldier leaving his Troop or Company without a Discharge in Writing, to be reputed a Deserter.

The Penalty if an Officer entertain a Soldier belonging to another Regiment.

No Non-Commissioned Officer or Soldier shall leave his Troop or Company, and Enlist himself in any other Regiment, Troop, or Company, without a Discharge from the Commanding Officer of the Regiment in which he last Served, under pain of being reputed a Deserter, and suffering accordingly. And in case any Officer shall knowingly Receive or Entertain any such Non-Commission Officer or Soldier, upon proof made thereof before a General Court-Partial, he shall be Cashier'd.

For

For shall any Discharge granted to No Discharge
 any Non-Commission Officer or Sol- to be allowed
 dier be allowed of as sufficient, unless unless Signed
 Signed by a Field-Officer of the Re- by a Field
 giment whence such Soldier was Dis- Officer.
 miss'd.

A R T. XII.

If any Officer or Soldier shall per- The Penalty
 swade or advise any other Officer or of perswad-
 Soldier to Desert Our Service, he ing any one
 shall suffer such Punishment as shall to Desert.
 be inflicted by the Sentence of a Gene-
 ral Court-Partial.

A R T. XIII.

If any Non-Commission Officer or The Penalty
 Soldier, Committed to Prison, shall of breaking-
 break thence, and endeavour to Escape Prison.
 Punishment, and leave the Service ;
 he shall be punished as a Deserter,
 and suffer Death, or such other pu-
 nishment as shall be inflicted by a Ge-
 neral Court-Partial.

And if any Officer under an Arrest The Penalty
 shall leave his Confinement before he if an Officer
 is set at Liberty by the Officer who break his Ar-
 Confined him, or by a Superior Pow- rest.
 er, he shall be Cashier'd for it.

A R T.

A R T. XIV.

The Penalty
of Running
away from
the Enemy ;

Or speaking
Words indu-
cing others to
do the like.

Of Plunder-
ing.

Whatever Officer or Soldier shall Misbehave himself before the Enemy, and Run away, or shamefully abandon any Fort, Post or Guard, which he or they shall be Commanded to Defend, or speak Words inducing others to do the like, or who after Victory, shall instead of pursuing the Enemy, quit his Commanding Officer or Post, to Plunder and Pillage ; every such Offender being duly Convicted thereof, shall be reputed a Disobeyer of Military Orders ; and shall suffer Death, or such other Punishment as by a General Court-Martial shall be inflicted on him.

A R T. XV.

Publick Stores
are to be secu-
red for His
Majesties Ser-
vice.

Whatever Publick Stores shall be Taken in the Enemies Camp, Towns, Forts, or Magazines, whether of Artillery, Ammunition, Cloathing, Forrage, or Provisions, shall be secured for His Majesties Service, and the better Relief of the Army, to which all Commanders in Chief are to have due regard.

A R T.

ART. XVI.

If any Officer, Non-Commissioned Officer or Soldier, shall be accused of any Capital Crime, or of any Violence or Offence against the Person, Estate or Property of any of Our Subjects, which is punishable by the known Laws of the Land; the Commanding Officers of every Regiment, Troop, Company, or Party, are hereby required to deliver over such Accused Person to the Civil Magistrate, so soon as applied to; and are also to be Aiding and Assisting to the Officers of Justice, in the Seizing and Apprehending such Offender, in order to bring him to Trial, under pain of Our Highest Displeasure.

Commanding Officers are to deliver over to the Civil Power any accused of Crimes punishable by the Common Law.

Vid: Art. 44.

And to be Aiding to the Civil Power.

ART. XVII.

The Commission Officers of every Regiment may, by the Appointment of their Colonel or Commanding Officer, hold a Regimental Court-Martial, for inflicting such Corporal Punishments, as the Neglect of Duty, Disorders in Quarters, or other such Crimes may deserve; which Regi-

Every Regiment may hold a Regimental Court Martial, for the Trial of lesser Offences.

mental Court-Partial shall not consist of less than five Commission Officers, and the Judgment to be them given shall be according to a Plurality of Voices.

A R T. XVIII.

What an Officer must do if he think himself wronged. If any Officer think himself Wronged by his Colonel or the Commanding Officer of the Regiment, and shall upon Application to him be refused to be Redressed, he is to complain to the General or Commander in Chief of Our Forces, in order to have Justice done him; who is hereby required to Examine into the same, and to lay it before Us, himself, or by Our Secretary at War, in order to receive Our further Direction.

What an Inferior Officer or Soldier must do if he think he is wronged. And if any Inferior Officer or Soldier shall think himself Wronged by his Captain, or Officer Commanding the Troop or Company, he is to complain thereof to the Officer Commanding the Regiment, who is hereby required to see Justice done to the Complainant at a Regimental Court-Partial; from which if either Party think himself not fully Righted, he may Appeal to the General Court-Partial,

(11)

Partial, where if, upon a Second Hearing, the Appeal shall prove Groundless or Meritless, the Appellant shall be Punished accordingly.

A R T. XIX.

No Officer or Soldier shall use any reproachful or provoking Speeches or Gestures to another, upon pain of Imprisonment, and asking Pardon of the Party Offended, in presence of his Commanding Officer.

Nor shall any Officer or Soldier presume to send a Challenge to any other Officer or Soldier, to fight a Duel, upon pain of being Cashier'd, if he be an Officer, or suffering the severest Corporal Punishment, if a Non-Commission-Officer, or Private Soldier.

And if any Officer or Non-Commission-Officer Commanding a Guard, shall wittingly and knowingly suffer any Person whatever to go forth to fight a Duel, he shall be punished, as above. And all Seconds also, and Carriers of Challenges, in order to Duels, shall be taken as principals, and punished accordingly.

The Penalty of provoking
of speech or
Action.

The Penalty of sending a
Challenge.

The Penalty if an Officer
suffer any to
go out to
Fight a Duel.

The Seconds
carrying
Challenges,
shall be repu-
pured as prin-
cipals.

All Officers
have power
to part Frays.

The Penalty
of resisting.

No Officer
or Soldier
shall upbraid
another for
refusing a
Challenge.

The Penalty
of upbraid-
ing any one
for refusing a
Challenge.

All Officers of what Condition so-
ever, have Power to part and quell all
Quarrels, Frays and other Disor-
ders, though of another Company,
Troop or Regiment; and to Com-
mand Officers to Arrest, and Soldi-
ers to Prison, until their proper Of-
ficers be Acquainted therewith; and
whoever shall refuse to Obey such
Officer (though of Inferior Rank) or
Draw his Sword upon him, shall be
punished as a General Court-Partial
shall appoint.

Nor shall any Officer or Soldier
upbraid another for refusing a Chal-
lenge, since according to these Our
Orders, they but do the Duty of Sol-
diers, who ought to Subject them-
selves to Discipline; and We do ac-
quit and discharge all Men who have
Quarrels offered, or Challenges sent
to them, of all Disgrace, or Opinion
of Disadvantage in their Obedience
hereunto; and whosoever shall Up-
braid them, and Offend in this case,
shall be punished as a Challenger.

A R T. XX.

A General
Court Marti-
al.

A General Court-Partial shall not
consist of less than Thirteen Com-
mission

mission-Officers, and the President not to be under the Degree of a Field-Officer, or the then Commander in Chief of Our Forces in Garrison, where such Court-Partial is Held.

The Members both of General and Members of Regimental Courts-Partial shall for Courts Marri-
 Orders take the same Ranks at al are to hold
 their Settings as they do in the Army; the same Rank
 And the Judge Advocate-General, or at their Sit-
 some Person having a Deputation to tings as they
 do in the Ar-
 my.
 At for him, shall Inform the Court, Judge-Advo-
 and Prosecute in His Majesties Name, cate is to In-
 and in Capital Cases Administer to form and
 the several Members the following Prosecute.
 Oath.

YOU shall well and The Oath
 truly Try and De- which is to be
 Administred
 in Capital
 Cases.
 termine, according to
 your Evidence, in the
 Matter now before you,
 between Our Sovereign
 Lord the Kings Majesty
 and the Prisoner to be
 Tried.

So help you God.

The following Oath shall also be Taken by such as are Members of Judges in any General Court-Partial.

The Oath
which is to be
taken by the
Members of
all General
Courts-Mar-
tial.

I A. B. Do Swear, That I will duly Administer Justice according to the Rules and Articles for the better Government of His Majesties Land-Forces, and according to an Act of Parliament now in Force for the Punishment of Mutiny, Desertion, and other Crimes therein mentioned, without Partiality, Favour or Affection; and (if any Doubt shall arise which is not Explained by the said Articles or Act of Parliament) according to my

(15)
my Conscience, the best
of my Understanding,
and the Custom of War
in like Cases. And I do
further Swear, That I
will not Divulge the Sen-
tence of the Court, until
it shall be approved by
His Majesty, the Gene-
ral or Commander in
Chief; neither will I
upon any account, at
any time whatsoever,
Disclose or Discover the
Vote or Opinion of any
particular Member of the
Court-Martial:

So help me God.

Rules to be
observed in
Proceedings
of a General
Court-Marti-
al.

All Witnesses shall be Examined upon Oath ; And no Field-Officer shall be Tryed by any under the Degree of a Captain ; nor shall any Sentence of Death be given against any Offender, unless a Majority of the Officers present shall concur therein, and such Majority be Nine or more ; And no Proceedings or Tryal shall be had upon any Offence, but between the Hours of Eight in the Morning, and One in the Afternoon ; Nor shall the Sentence of any General Court-Martial be put in Execution, until Report be made of the whole Proceedings to His Majesty, or the General Commanding in Chief, and his Directions are Signified thereupon.

All Members of Courts-Martial shall behave themselves Decently, and in giving their Votes, begin with the Youngest.

A R T. XXI.

Every Soldier shall be taken before a Justice of the Peace, and there take the Oath of Fidelity.

Every Non-Commission Officer and Soldier, who shall Enlist himself in Our Service, shall at the time of his so Enlisting, or within a Month afterwards at the farthest be taken before a Justice of the Peace by the Enlisting Officer,

(17.)

Officer, or the Officer Commanding
the Troop or Company into which he
is Listed: And shall there take the
Oath following.

I Swear to be True to The Oath of
Fidelity.
Our Sovereign Lord
King *GEORGE*, and to
Serve him Honestly and
Faithfully in Defence of
His Person, Crown, and
Dignity, against all His
Enemies and Opposers
whatsoever; And to Ob-
serve and Obey His Ma-
jesties Orders, and the
Orders of the Generals
and Officers let over me
by His Majesty:

So help me God.

A R T.

A R T. XXII.

What an Officer must do in order to the Muster.

Certificates are to be produced at the Muster.

The Penalty of making False Certificates.

The Penalty of making a False Muster.

Every Officer Commanding a Troop or Company, shall upon due Notice given him by the Commissary of the Musters, or some one of his Deputies, Assemble the Troop or Company under his Command in the next convenient Place, for their being Mustered; And if any Officer or Soldier shall happen to be Absent from such Muster, by reason of Sicknes, or being Employed in Recruiting, on Party, or on Furlof, or by a Signed Leave from his Colonel or Field-Officer Commanding the Regiment; The Officer there Commanding such Troop or Company, shall produce Signed Certificates of such Lawful cause of Absence, or they shall not otherwise be Allowed of at the Muster.

And every Officer that shall be Condicted of giving, making, or procuring any false Certificate in Order to a False Muster, or shall at any time be found Guilty of making a False Muster, either by Mustering of Servants in the Ranks, or of any Man or Horse not truly belonging to the Troop or Company, shall be Cashier'd from Our Service, and suffer such other Penalty as by the Act of Parliament is appointed. A R T.

A R T. XXIII.

No Non-Commission Officer or Soldier, shall, by Leave of his Captain, or Inferior Officer Commanding a Troop or Company, be Absent from his Quarters above Twenty Days in Six Months; unless by a Signed Leave from his Colonel, or other Field-Officer Commanding the Regiment; Who is also to take care that no more than Two Private Men, at a time, of the same Troop or Company may have his Licence of Absence.

How long
time a Soldier
may be Ab-
sent, and by
what leave.

And for the Absence of Commission Officers from Garrison or Quarters, all Colonels and Commanding Officers are to Govern themselves according to Our Orders, for the Attendance of Officers in Quarters.

Orders for
the Atten-
dance of Offi-
cers in Quar-
ters, are to be
observed by
the Com-
manders.

A R T. XXIV.

All Commissions Granted by Us, or by any of Our Generals having Authority from Us, shall be Entred in the Books of Our Secretary at War, and Commissary General, or not otherwise be allowed of at the Musters.

All Commis-
sions are to be
Entred.

A R T.

ART. XXV.

No Commission Officer may be cashier'd but by Order of His Majesty, or by a General Court-Martial.

No Commission Officer may be Cashier'd or Dismissed Our Service, but by an Order from Us, or by the Sentence of a General Court-Martial, approved of by such Generals or Commanders of Our Forces, as by Our Power and Authority shall appoint the same to be held.

But Non-Commission Officers may be Discharged, or Reduced by a Regimental Court-Martial.

But Non-Commission Officers may be Discharged in like manner as Private Soldiers; and by the Sentence of a Regimental Court-Martial, may be Reduced to Serve as Private Soldiers in the Ranks, if their Misbehaviour shall deserve such Punishment.

ART. XXVI.

No Non-Commission Officer or Soldier to be a Suttler.

No Non-Commission Officer or Soldier belonging to any of Our Troops of Horse-Guards, Horse-Grenadier-Guards, Regiments of Horse and Foot-Guards, or any other Troop or Company in Our Service, shall be Permitted to Suttle or keep any kind of Publick House or Shop for the Selling of Liquors, Victuals, or other Merchandize, under Pain of being Punished.

Punished for it by a Regimental Court-Martial.

And every Commission Officer who shall presume to Muster any Person known to be so Suttling, or Offending, as above, shall be brought to a General Court-Martial, and Punished as for making a false Muster.

The Penalty if an Officer Muster a Suttler.

ART. XXVII.

In all our Baracks, Forts, and Garisons, or on Guards, where any Suttlers are permitted to Attend Our Troops, they shall not Sell any kind of Liquors, Victuals, or Keep open House for the Entertainment of Soldiers, after Nine of the Clock at Night, nor before the Beating of the Reveilles in the Morning, under Pain of being dismiss'd from all future Suttling.

No Suttler is to Sell any thing after Nine at Night, or before the Reveilles in the Morning.

And all Governors, Lieutenant-Governors, and Officers Commanding in Our said Forts, Baracks, and Garisons, are hereby required to see that the Persons by them permitted to Suttle, shall supply the Soldiers with good and wholesome Provisions at the Market-Price, as they shall be Answerable for the same.

Commanding Officers are to see the Soldiers Furnished with Provisions at the Market-Price.

ART.

A R T. XXVIII.

Officers and
Soldiers are
to be Orderly
in Quarters,
and on the
March.

The Penalty
of Spoiling
the property
of any Per-
son.
Unless by
Order, to an-
noy the Ene-
my.

All Officers and Soldiers are to
behave themselves Orderly in Quar-
ters, and on the March ; And who-
ever shall commit any Waste or Spoil,
either on Walks of Trees, Parks,
Warrens, Fish-Ponds, Houses or
Gardens, Corn-fields, Inclosures, or
Meadows, or shall Maliciously De-
stroy any Property whatever, belong-
ing to any of Our Subjects, or be-
longing to any Person whatever, un-
less by Order of the then Commander
in Chief of Our Forces, to Annoy
Rebels or other Enemies in Arms
against Us ; he or they that shall be
found Guilty of Offending herein,
shall (besides such Penalties as they
are liable to by Law) be Punished
according to the Nature and Degree
of the Offence, by the Judgment of a
Regimental or General Court-Parti-
al.

A R T. XXIX.

No Officer
shall Demand
Billets for
more than

No Officer shall demand Billet
for Quartering of more than his Ef-
fective Men ; nor Quarter any Wo-
men

men or Children in the House As- his Effective
signed him for the Quartering of Of- numbers ; or
ficers and Soldiers, without the con- take Money
sent of the Owner ; Nor shall take for Freeing of
Money for Freeing of Landlords from Landlords
Quartering of Officers or Soldiers, from Quar-
under Pain of being Cashier'd for it. tering Soldi-
ers ; nor
shall Quarter
Women or
Children.

A R T. XXX.

Every Officer Commanding a Re- Commanding
giment, Troop, Company, or Party, Officer is to
whether in settled Quarters, or on see the Quar-
the March, shall see his own Quar- ters Cleared.
ters, and the Quarters of every Offi-
cer and Soldier under his Command,
Paid, according to the Rates specified
in the Act of Parliament now in
Force ; And upon every Payment to Publick No-
be made in Quarters, the said Officer tice of Pay-
shall give publick Notice thereof to ment is to be
the Landlords, in Order to see them given to the
satisfied as aforesaid. And in case Landlords.
any such Regiment, Troop, Compa-
ny, or Party, shall be Ordered to
March, before Money may be come to
the Hands of the Commanding Offi- Commanding
cer as aforesaid, he is hereby required, Officer is to
before his Departure out of any give Certifi-
Town or Village, to make up the cates for Mo-
Accounts with all Persons concern'd ney due in
Quarters.
in

in Money due to them for Quartetting of Officers and Soldiers, for what time soever he shall have happen'd to remain there; and grant to every such Party a Signed Certificate for the same, therein specifying the Name of the Regiment, Troop, or Company, such Officers or Soldiers do belong to, under Pain of being Cassier'd for it, upon Proof of having Wilfully Offended herein.

A R T. XXXI.

Commanding Officers are to apply for Carriages, and to pay for them according to the Act of Parliament: And not to suffer the Persons attending them to be Abused: Or their Carriages overloaded.

On Marches the Commanding Officers are to Apply to the proper Magistrates for the Carriages necessary for the Service, and to Pay for them according to the Act of Parliament in that behalf, taking care not to Abuse, nor to suffer any under their Command to Beat or Abuse the Wagoners, or other Persons Attending such Carriages, nor to put more than Twenty Hundred Weight on any Wain or Wagon, so Furnished to them by the Country.

And whatever Officer shall be Convicted of Offending herein, or of refusing to grant Certificates, in case of Failure of Money, as in the Preced.

Preceding Article, shall, by the Judgment of a General Court-Partial, be Cashier'd, or otherwise Punished according to the Degree of his Offence.

A R T. XXXII.

All Officers Commanding in Gar- The Penalty
risons, in Quarters, or on Marches, if an Officer
shall keep good Orders, and Repress refuse to see
all such Abuses or Disorders as may Justice done,
happen to be committed by any Offi- if any Person
cer or Soldier under their Command; shall be Abu-
And if on complaint made to any sed or Wrong-
such Commanding Officer, of Beat- dier.
ing of Landlords, or Extorting of
more from them than they are obliged
by Law to furnish, of Soldiers Di-
sturbing of Fairs or Markets, or com-
mitting any other kind of Riots, to
the Disturbing or Disquieting Our
People; he the said Commander, who
shall refuse or omit to see Justice
done on the Offender, and Reparati-
on made to the Party Injured, so far
as part of the Offenders Pay can
Enable him; he shall, upon Proof
thereof, be Punished by a General
Court-Partial, as if he himself had
Personally committed the Crimes or
Disorders complain'd of.

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A R T. XXXIII.

The Penalty of Lying all Night out of Camp or Quarters.

No Officer or Soldier shall Lie out of his Camp or Quarters, without leave of his Superior Officer ; And every Soldier, shall Repair to his Quarters, at the Beating, or Sounding the Retreat ; And whatever Officer or Soldier shall offend herein, or without Leave Absent himself from his Guard, or shall neglect to come to the Parade, Place of Exercise, or other Rendezvous appointed by his Commanding Officer, (unless by Sickness, or other evident necessity hindered therefrom) shall be Punished according to the Nature of his offence, by the Colonel, or the Commanding Officer of the Regiment.

Every Soldier is to repair to his Camp or Quarters at the Beating of the Retreat.

A R T. XXXIV.

The Penalty of Drunkenness.

If any Officer shall be found Drunk on his Guard, Party, or other Duty under Arms, he shall be Cashed for it.

And if any Non-Commission Officer or Soldier shall be found Guilty of the same, he shall be Punished by Riding the Wooden Horse, Picketing, ing,

ing, or some other such Corporal Punishment, as is practised in the Army for such like offences.

A R T. XXXV.

If any Centinel quit his Post before he be Relieved from it, or shall be found Sleeping on his Post, he shall be Confined till the next Regimental Court-Partial, and upon Proof thereof be Condemned to Run the Gauntlet, which is a Punishment we think not fitting to be otherwise inflicted than by the Judgment of a General or Regimental Court-Partial.

The Penalty if a Centinel quit his Post before he be Relieved.

A R T. XXXVI.

No Soldier belonging to any of Our Troops or Regiments of Horse or Foot-Guards, or to any other Regiment of Horse, Foot, or Dragoons, in Our Service, shall Hire another to do his Duty for him, or be Excused from Duty, but in cases of Sicknes, Disability, or Leave of Absence; And every such Soldier found Guilty of Hiring his Duty, as also the Party so Hired to do anothers Duty, shall

No Soldier shall Hire another to do his Duty.
The Penalty,

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be

be Punished at the next Regimental Court-Partial.

The Penalty
of an Officers
Conniving at
it.

And every Non-Commission Officer conniving at such Hiring of Duty, as abovesaid, shall be Reduced for it ; And every Commission Officer, knowing and allowing of such ill Practices in Our Service, shall be Punished by the Judgment of a General Court-Partial.

The Penalty
if an Officer
Protect any
from their
Creditors.

And if he shall Protect any Person from his Creditors, under pretence of his being a Soldier, otherwise than is allow'd by the present Act of Parliament (except such as do actually serve in the Ranks) and constantly do all the Duties of a Soldier, according to the true intent and meaning of the Act of Parliament on that behalf, he shall be Cashier'd for it.

A R T. XXXVII.

The Penalty
of making an
Alarm in
Camp or
Quarters.

No Officer or Soldier shall, by Firing of Arms, Drawing of Swords, or otherwise, make Alarms in Camp or Quarters, under Pain of such Punishment as a Court-Partial shall inflict.

ART.

A R T. XXXVIII.

And to the end that Officers and Soldiers may not, by lying long under Confinement, be hindred from doing their Duty, and others be obliged to do it in their Room; We hereby Direct, That upon every Offence committed, and not immediately Punishable by such Corporal Punishment as the there Commanding Officer shall think himself Impowered to inflict; he shall forthwith acquaint his Colonel, or the Officer Commanding the Regiment therewith, who is, with all convenient speed, to Summon Officers for Composing a Regimental Court-Partial for the Tryal and Punishment of such Crimes, or within the space of Eight Days at the farthest after Confinement of any such Offender.

And for all Crimes, Offences, and Differences which at a Regimental Court-Partial they shall not Judge themselves Impowered to Decide and Punish, the Officer then Commanding the Regiment shall send to Our Secretary at War the Proceedings, Proofs, and Examinations

made thereon, in Order to obtain
Our Order, or the Order of Our Ge-
neral or Commander of Our Forces,
for a General Court-Partial there-
upon.

A R T. XXXIX.

The Penalty of making known the Watch word, or giving a false one.

Whoever shall make known the Parole or Watch-Word, without Orders of his Superior Officer, to any other than the Commission'd and Non-Commission Officers, who ought to know the same; And whoever, upon his Guard or Patrol shall give any other Word than that given him by the proper Officers, shall be brought to the next Court-Partial, and be Punished as their Judgment, and the circumstances of his Offence, may require.

A R T. XL.

The Penalty of a Soldier imbezling Stores,

Whatever Non-Commission Officer or Soldier shall, at a Regimental Court-Partial, be Convicted of having Sold or willingly Spoiled any of the Ammunition delivered to him out of Our Stores, he shall Run the Gauntlet.

And

And if any Commission'd Officer, or of a Store-keeper, or Commissary of Provisions, Forage, Ammunition, Arms, or other Stores for the use of our Forces, shall, at a General Court-Martial, be Convicted of Embezzling, Selling, or wilfully Spoiling any such Stores committed to his Charge, he shall be Cashier'd for it.

ART. XLI.

Every Pen-Commission Officer or Soldier of Horse, Foot, or Dragoons, who shall, at a Regimental Court-Martial, be found Guilty of having Sold, or wilfully Lost or Spoiled his Horse, Arms, Clothes, or Accoutrements, or of Pilfering and Stealing his Comrades or other Soldiers Clothes, Arms, or Accoutrements, shall be Subject to such Weekly Stoppage (not exceeding one half) out of his Pay, as the Court-Martial shall Judge sufficient for Repairing the same, and suffer Confinement, or such other Corporal Punishment, as in their Judgment the nature of his Offence may deserve.

But no Deduction out of any particular Mans Pay, otherwise than is

No Deducti- or shall be Directed by a Regulation
 on to be made under Our Sign Manual, may be
 from a Soldi- made, unless for Crimes of the above
 ers Pay, but nature, and Authorized by the Sen-
 by Warrant, tence of a Regimental Court-Parti-
 or the Sen- al ; nor any general Stoppage or
 tence of a Deductions in Regiments, Troops,
 Court-Mar- or Companies, but by Our particular
 tial. Warrant, or the Warrant of the Ge-
 neral Commanding Our Forces.

A R T. XLII.

The Penalty if an Officer of a Guard, or Provost-Martial refuse to take a Prisoner into Custody, or shall Release him without Orders.

No Officer Commanding a Guard, or Provost-Marshal belonging to Our Forces, shall refuse to receive and keep any Prisoner committed to their Charge by any Officer of Our Forces.

No shall Release any such Prisoner without Orders from the then Commander in Chief ; Nor suffer any Prisoner to Escape, under Pain of being Punished for it by the Judgment of a General Court-Partial, according to the Degree of his Offence.

Prisoners Names are to be returned within 24 Hours.

And every such Officer to whose Charge Prisoners are committed, is hereby required, within Twenty Four Hours after such Commitment (or so soon as he is Relieved from his Guard)

to

to give in Writing to the said Com-
mander in Chief the Names of his
Prisoners, and of the Committers ;
And (as far as he knows) of the
Crimes alledged against them, under
Pain of being Punished for his Dis-
obedience at a Regimental or General
Court-Martial.

A R T. XLIII.

When any Commission Officer shall happen to Die, or be Kill'd in Dur Service, the Major of the Regiment, or Officer doing Majors Duty in his Absence, shall immediately secure all his Effects and Equipage then in Camp or Quarters ; And before the next Regimental Court-Martial make a just Inventory thereof ; to the end that his Lawful Executors may, af-
ter Payment of his Debts in Quar-
ters, and Interment, receive the Over-
plus, if any be, to his or their proper
use.

The Major is to take care of an Officers Effects when he Dies,

And when any Non-Commission Officer or Soldier shall happen to Die, or be Kill'd, as above, the Captain, or then Commanding Officer of the Troop or Company, shall, in presence of Two other Commission Officers, or other

*and the Cap-
tain of any
Soldiers
Goods.*

other credible Witnesses, take Account of all he Dies possess'd of, over and above his Regimental Clothing, Arms, and Accoutrements, to be Accounted for, as is above Directed.

A R T. XLIV.

No Officer or Soldier is to be brought to a Court-Martial for Offences against the Subject, under Eight Days time, unless desired by the Party Injured.

In case any Officer, Non-Commission Officer or Soldier, be accused of any Violence or Offence against the Person, Estate, or Property of any of Our Subjects, Punishable by any of Our Civil Courts or Magistrates, the Officer to whom such Accusation is brought, shall not proceed to the Tryal of such Offender or Offenders by a Court-Martial, within the space of Eight Days, unless at the Desire of the Person or Persons Injured; And

And if no Body apply in that time, he may be Tried by a Court Martial.

in case no Application be made to the Commanding Officer in Quarters, during the said space of Eight Days, by the Person or Persons Injured, the Offender or Offenders may be Tried

Vide Artic. 16. by a Court-Martial for any Offence mentioned in these Articles: Provided that within the space of the said Eight Days, the Person Injured hath not Proceeded to the Prosecution of such Offender before a Civil Court or Magistrate.

gistrate, and Notice given thereof to the Officer Commanding in the Quarters where such Offence shall be committed.

ART. XLV.

Whereas these Our Rules and Articles are to be observed by, and do in all respects Regard Our Troops and Regiments of Horse and Foot-Guards, as well as Our other Forces, and that several Disputes have arisen and may arise between the Officers of Our Horse and Foot-Guards, in relation to their Holding of Courts-Martial, and also amongst the Officers of Our Troops of Horse-Guards, Grenadier-Guards, and Regiment of Horse-Guards on That, and other points of Duty, We do therefore herein Declare it to be Our Will and Pleasure, That when any Officer or Soldier belonging to Our said Troops of Horse-Guards, Grenadiers, or Regiment of Horse-Guards, shall happen to be brought to a General Court-Martial, for Differences arising purely amongst themselves, or for Crimes relating to Discipline or Breach of Orders; such Court-Martial shall be

These Articles relate to the Horse and Foot Guards, as well as the other Forces. Rules relating to Courts-Martial in Cases where the Guards are concerned.

composed

composed of Officers serving in any of all of those Corps of Horse-Guards (as they may then happen to lie for their being most conveniently Assembled) where the Officers are to take Post according to the Dates and Degrees of Rank granted them in their respective Commissions, without regard to the Seniority of Corps, or other formerly pretended Privileges.

In like manner also, the Officers of Our Three Regiments of Foot-Guards, when appointed to Hold Courts-Partial, for Differences of Crimes, as aforesaid, shall of themselves compose Courts-Partial, and take Rank according to their Commissions; but for all Disputes or Differences which may happen between Officers or Soldiers belonging to Our said Corps of Horse-Guards, and other Officers or Soldiers belonging to Our Regiments of Foot-Guards, or between any Officers or Soldiers belonging to either of those Corps of Horse or Foot-Guards, and Officers and Soldiers of Our other Troops; the Courts-Partial to be appointed in such Cases, shall be equally composed of Officers belonging to the Corps in which the Parties

ies complaining and complained of do then Serve in ; and the President to be ordered by Turns, beginning first by an Officer of one of Our Troops of Horse-Guards, and so on in course out of the other Corps.

Officers having Brevets may also Brevets. take Place in Courts-Partial, and on Detachments in the Army, according to the Ranks given them in their Brevets ; but in the Troop or Regiment to which such Brevet-Officer does belong, he shall do Duty and take Rank only according to the Commission he is Pustered by.

If upon Marches, Guards, or in The Eldest Quarters, any of Our Troops of Horse-Guards, Grenadier-Guards, or Regiment of Horse-Guards, shall happen to Join or do Duty together, the Eldest Officer by Commission there, on Duty or in Quarters, shall Command the Whole, and give out Orders for what is needful to Our Service ; Regard being always had to the several Ranks of those Corps, and the Posts they usually Occupy.

And in like manner also, if any Or when any Regiments, Troops or Detachments of the Horse or Foot-Guards shall happen to March with, or to be Encamped

do Duty with
any other
Corps.

camped or Quartered with any Bodies or Detachments of Our other Troops, the Eldest Officer, without respect to Corps, shall take upon him the Command of the Whole; and give the Orders necessary to Our Service.

A R T. XLVI.

These Articles to be
read once
every Two
Months.

They are to
be observed
by the Officers of the
Trains of Artillery.

The foregoing Rules and Articles shall be Read and Published at the Head of every Regiment, Troop, and Company, Mustered, or to be Mustered in Our Service, once every Two Months at farthest; and are to be duly observed by all Officers and Soldiers in Our Service; and also by Our Companies of Gunners, and other Military Officers of Our Trains of Artillery, with such Alterations only, as relate to the Payment of Soldiers Quarters, and Carriages, which in the Kingdom of Ireland are to be Regulated by the Lord Lieutenant thereof; and in Our Lands, Provinces, and Colonies beyond the Seas, by the respective Governors of the same, according as the Nature of the thing shall require.

And notwithstanding it is Express-
ed in the Sixteenth Article of these
Our

Our Rules and Orders, that every Court-Martial-
 Commanding Officer is Required to al may Punish
 Deliver up to the Civil Magistrate Criminals in
 all such Persons (under his Com- places beyond
 mand) as shall be Accused of any the Seas,
 Crimes which are Punishable by the when there is
 known Laws of the Land, yet in Our no Civil Judi-
 Barison of Gibraltar, Island of Mi- cature in
 norca, Forts of Placentia, and Anna- force, for Of-
 polis Royal, where Our Forces now fences not Pu-
 are, or in any other Place beyond the nishable by
 Seas, to which any of Our Troops these Articles:
 may hereafter be Commanded, and
 where there is no Form of Our Civil
 Judicature in Force, the Governors
 or Commanders respectively are to Ap-
 point General Courts-Martial to be
 Held, who are to Punish Criminals
 by their Sentence, as has been Pra-
 ctised heretofore, and Authorized by
 former Articles of War.

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